

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

HANS A. QUAACK, ATTILIO PO  
and KARL LEIBINGER, on behalf of themselves  
and those similarly situated,  
Plaintiffs,  
v.  
DEXIA, S.A. and DEXIA BANK BELGIUM  
(formerly known as ARTESIA BANKING CORP., SA),  
Defendants.

No.: 03-CV-11566 (PBS)

STONINGTON PARTNERS, INC., a Delaware  
Corporation, STONINGTON CAPITAL  
APPRECIATION 1994 FUND L.P., a Delaware  
Partnership and STONINGTON HOLDINGS, L.L.C., a  
Delaware limited liability company,  
Plaintiffs,  
v.  
DEXIA, S.A. and DEXIA BANK BELGIUM  
(formerly known as ARTESIA BANKING CORP., SA),  
Defendants.

No.: 04-CV-10411 (PBS)

GARY B. FILLER and LAWRENCE PERLMAN,  
Trustees of the TRA Rights Trust,  
Plaintiffs,  
v.  
DEXIA, S.A. and DEXIA BANK BELGIUM  
(formerly known as ARTESIA BANKING CORP., SA),  
Defendants.

No.: 04-CV-10477 (PBS)

JANET BAKER and JAMES BAKER, JKBAKER LLC  
and JMBAKER LLC,  
Plaintiffs,  
v.  
DEXIA, S.A. and DEXIA BANK BELGIUM  
(formerly known as ARTESIA BANKING CORP., SA),  
Defendants.

No.: 04-CV-10501 (PBS)

**DECLARATION OF PATRICK T. EGAN  
IN SUPPORT OF PLAINTIFFS' UNOPPOSED MOTION  
FOR LEAVE TO FILE UNDER SEAL OPPOSITION TO DEXIA BANK BELGIUM'S  
MOTION FOR A PROTECTIVE ORDER PREVENTING  
DEPOSITIONS OF AXEL MILLER AND STEFAAN DECRAENE**

PATRICK T. EGAN, declares pursuant to 28 U.S.C. § 1746 that:

1. I am a partner of the law firm of Berman DeValerio Pease Tabacco Burt & Pucillio, co-lead counsel to Lead Class Plaintiffs Hans A. Quaak, Attilio Po, and Karl Leibinger in the above-captioned action *Quaak v. Dexia, S.A.*, No.: 03-CV-11566 (PBS). Unless otherwise indicated, I have personal knowledge of the matters addressed in this declaration. I am over the age of 18 and am fully competent to testify.

2. I submit this declaration in support of the motion by plaintiffs in the above-captioned actions (“Plaintiffs”) for leave to file under seal: (a) Plaintiffs’ Memorandum of Law in Opposition to Dexia Bank Belgium’s Motion for a Protective Order Preventing Depositions of Axel Miller and Stefaan Decraene dated June 15, 2006 (the “Memorandum in Opposition”); and (b) Declaration of Susan M. Davies in Support of Plaintiffs’ Opposition to Dexia Bank Belgium’s Motion for a Protective Order Preventing Depositions of Axel Miller and Stefaan Decraene executed on June 15, 2006, together with the exhibits thereto (the “Davies Declaration”).

3. On June 1, 2006, Dexia Bank Belgium filed its Motion for a Protective Order Preventing Deposition of Axel Miller and Stefaan Decraene.

4. On June 15, 2006, Plaintiffs served copies of the Memorandum in Opposition and Davies Declaration by hand upon counsel for defendant Dexia Bank Belgium, Jeff E. Butler, Esq. of Clifford Chance US LLP, New York, New York.

5. The Memorandum in Opposition and Davies Declaration have not been filed with the Court at this time because they contains evidence, and annexes documents, that Dexia Bank Belgium has produced in discovery as “Confidential Information” subject to the terms of the Stipulation and Order Governing the Treatment of Confidential Information entered in each of the above-captioned actions on May 31, 2005 (the “Confidentiality Order”). A true and correct copy of the Confidentiality Order is annexed hereto as Exhibit A. Under the terms of the Confidentiality Order, memoranda and declarations containing or disclosing discovery materials

that the producing party has designated as “Confidential Information” must be filed with the Court under seal. See Exhibit A at ¶10.

6. Without waiving their right to challenge Dexia Bank Belgium’s designation of particular information as “Confidential Information,” Plaintiffs hereby seek leave to file the Memorandum in Opposition and Davies Declaration under seal.

Dated: June 15, 2006

/s/ Patrick T. Egan  
PATRICK T. EGAN BBO #637477